

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**JERRY J. MEEKS,**

**Plaintiff,**

**v.**

**Case No. 14-CV-850**

**TOM FELDNER, et al.,**

**Defendants.**

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**DECISION AND ORDER**

Plaintiff Jerry J. Meeks filed a pro se complaint under 42 U.S.C. § 1983, alleging that his civil rights were violated while he was incarcerated at the Wisconsin Resource Center. This case is now before me on plaintiff's motion for an order compelling discovery.

Plaintiff states that he submitted a written request to defendants for various documents pursuant to Federal Rule of Civil Procedure 34 on October 3, 2015, and that defendants have not responded to the requests. Plaintiff asks me to compel defendants to provide the documents and to order a sanction against defendants in the amount of \$500.

Local Civil Rule 37 (E.D. Wis.) requires that a party seeking to compel discovery include in his motion a certification that he has attempted to confer in good faith (via writing is sufficient) with the other party's counsel in an effort to resolve the dispute without the court's involvement. Plaintiff's motion does not include this certification, so I will deny plaintiff's motion.

I remind plaintiff that the Federal Rules of Civil Procedure contemplate the parties working together through the discovery phase of litigation without the court's intervention.

The parties are instructed to attempt to resolve this and other discovery disputes that may arise on their own before asking the court for assistance.

Plaintiff also filed a letter indicating that he may want to amend his complaint and requesting information on how to do so. (Docket #41.) If plaintiff desires to amend his complaint, he must comply with Federal Rule of Civil Procedure 15 and Local Civil Rule 15. Specifically, plaintiff must file a motion stating what changes he is making in the proposed amended complaint. He also must reproduce the entire amended complaint as an attachment to the motion without incorporating his prior complaint by reference. The amended complaint replaces the original complaint as if the original complaint had never been filed. I am required to screen amended complaints, just as I was required to screen the original complaint.

**IT IS THEREFORE ORDERED** that plaintiff's motion to compel (Docket #40) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 19th day of November, 2015.

s/ Lynn Adelman

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LYNN ADELMAN  
District Judge